

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Social Welfare Department – Allegation of misappropriation of Government funds by way of sanctioning scholarships by Government Servant against Sri B. Muttaiah, formerly Warden, Kattalamandi Hostel, Social Welfare Department now DSWO, R.R. District – Sanction of prosecution – Orders – Issued.

(SOCIAL WELFARE (SER.III.2) DEPARTMENT)

G.O.Ms.No.9

Dated: 17-01-2011.

Read :

From the Addl. Director General of Police, CID, Andhra Pradesh,
Hyderabad Lr.C.No.2108/C12/CID/94 dated: 10-12-2010.

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ORDER:

Whereas B. Muttaiah formerly Warden, Kattalamandi Hostel Social Welfare Department was a public servant now DSWO, R.R. District with in the meaning of Section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860);

2. And whereas, the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh., Hyderabad reported that this is a case of criminal conspiracy, falsification / fabrication of accounts / documents and cheating committed by the Officials of Social Welfare Department, claiming Scholarships under fictitious names of Scheduled Caste students during the years 1984-85, 1985-86, 1986-87, in respect of some Educational Institutions of Twin Cities of Hyderabad & Secunderabad and misappropriation of Government Money to a tune of about **Rs. 83,27,628.91/-** (in respect of 95 colleges);

3. And whereas, the facts of the case in brief are that on 21-01-1994, Sri. P. Daya Chary, I.A.S., Director of Social Welfare Department, Samkshema Bhavan, Masab Tank, Hyderabad lodged a report with Crime Investigation Department, Hyderabad in pursuance of a report, submitted by the department of Vigilance & Enforcement, A.P., Hyderabad, stating that certain false claims of scholarships were made under fictitious names of scheduled caste and Backward Classes College students in respect of (95) Educational institutions (Both Private and Government managed institutions) in twin cities of Hyderabad and Secunderabad by the officials of O/o the Deputy Director, Social Welfare, Hyderabad and huge Government funds were misappropriated thereby causing huge loss to the Government. As such, he requested to take up the investigation and to initiate criminal action against the responsible officials. Basing on the above report, a case in Cr.No.3/94, under section 120-B, 406, 409 & 471 Indian Penal Code was registered by the Crime Investigation Department on 21.01.1994 and investigated;

4. And whereas, the evidence revealed during investigation, that the Modus Operandi involved in this case is that the concerned Wardens/Matrons submitted proposals to the office of the Deputy Director, Social Welfare, Hyderabad through concerned Assistant Social Welfare Officers, which include fictitious names of students, who were either not on rolls or discontinued their studies in the colleges in conspiracy and with the connivance of the concerned Deputy Director, Asst. Accounts Officers, Section Superintendents and Section Assts. Further the concerned officials of Deputy Director Social Welfare Department, Hyderabad office in connivance with one other issued proceedings sanctioning scholarships for the period 1984-87;

5. And whereas, B. Muttaiah worked as Warden, Kattalamandi Hostel in the office of Dy. Director, Social Welfare, Hyderabad from 1.4.84 to 24.3.86. During his tenure, he is instrumental for issuance of (55) proceedings, sanctioning scholarships for **992** students (not on Rolls **963**

(P.T.O.)

and discontinued **29)** pertaining to number of colleges in twin cities, in conspiracy and with the connivance of the other staff of O/o the Deputy Director, Social Welfare, Hyderabad and committed the offences of cheating and misappropriation of Government money causing loss of about Rs.**9,34,388.50/-** to the Government exchequer;

6. And whereas, there is a specific job chart for him, but he willfully avoided following the guidelines prescribed, colluded with other staff of the Social Welfare Department and committed the offences;

7. And whereas, investigation conducted by the CID in Crime No.3/94 of CID revealed that ample evidence is available against the accused Sri B. Muttaiah, who worked as Warden, Kattalamandi Hostel, in the office of Deputy Director, Social Welfare Department, Hyderabad constitute the offences punishable under section 420, 409, 477-A and 120-B Indian Penal Code.

8. And whereas, the Government of Andhra Pradesh after careful examination of the various documentary evidence and the report of the Additional Director General of Police, Crime Investigation Department, A.P., Hyderabad placed before them considered that the said Sri B.Muthaiah, Warden, Kattalamandi Hostel should be prosecuted, in the Court of Law for the above said offences or any other offences relating to the said incident.

9. Now therefore, in exercise of the powers conferred by section 197 of the Code of Criminal Procedure 1973 (Central Act 2 of 1974), the Government after careful examination of the matter, hereby accord sanction to prosecute Sri B. Muttaiah for the offences punishable under section 420, 409, 477-A and 120-B of Indian Penal Code, 1860 (central Act 45 of 1860) and for any other provisions of law for the time being in force in respect of the aforesaid acts while acting or purporting to act in discharge of his official duties and for taking into cognizance of the said offences by the court of competent jurisdiction.

10. The Government of Andhra Pradesh further in exercise of the powers conferred by section 197 (4) of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) authorizes the Superintendent of Police, Gow, Crime Investigation Department, A.P. Hyderabad to prosecute the said Sri B.Muttaiah, Warden, Kattalamandi Hostel for the aforesaid offences and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(J.RAYMOND PETER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Addittional Director General of Police,
Crime Investigation Department,
Andhra Pradesh, Hyderabad.
The Director General of Police,
Andhra Pradesh, Hyderabad.
The Commissioner of Social Welfare,
Andhra Pradesh, Hyderabad.